

Opening Statement
The Honorable Edward J. Markey
Ranking Member
Tuesday, May 8, 2012

While there may never be an answer to the age old question of whether a tree falling in an empty forest makes a sound, today we ask another question: if a tree is illegally cut down in a forest, and made into a guitar, do we make a sound about it? Is undermining a bedrock law the right tone for us to set, especially if it threatens domestic timber industries?

Throughout its 112 years the Lacey Act has enjoyed strong bi-partisan support. The original bill was proposed by Republican John Lacey in 1900. Republicans have frequently championed provisions to expand and strengthen the Act, including the Reagan era addition of criminal penalties in response to major organized crime smuggling. Most recently, the 2008 amendments that revived the domestic timber industry and reduced illegal logging internationally, and they were strongly supported by the Bush administration and passed this committee by unanimous consent.

It has helped to stop illegal trade in timber, wildlife, and other natural resources. It is one of our greatest conservation laws, and protects domestic industries. Stemming the tide of illegal wood translates to a billion dollars of increased revenue here in the United States every year.

But now, the times they are a-changing.

Both bills we are considering today will significantly weaken, or outright destroy, these benefits. But while H.R. 3210 focuses on the 2008 amendments, H.R. 4171 targets the entire Lacey Act. H.R. 4171 would end criminal prosecution for violating the act. It would excise all references to foreign law. The law also says that Fish and Wildlife agents can't carry a gun while enforcing the Lacey Act, even when they are working in remote areas where many of the individuals involved in illegal wildlife trafficking also participate in drug trafficking, human trafficking, and other forms of organized crime. My Republican colleagues, who defend the right to bear arms, would disarm law enforcement officers charged with protecting endangered bears and other wildlife.

Some will claim that we should shred up the Lacey Act just so guitar players can shred on illegally-sourced instruments. That if you want to play "Norwegian Wood", you shouldn't fret about from where your guitar's wood originated.

Well, some of our nation's best musicians disagree. Today we will hear from Adam Gardner, the frontman for the Boston-based band Guster. He's a graduate of Tufts, which is in my district, and has dedicated his career to ensuring that musical tours keep in better harmony with our environment. Today, he is releasing a pledge of support for the Lacey Act, signed by Willie Nelson, Bonnie Raitt, Dave Matthews Band, Maroon 5, Jason Mraz and many others. Mr. Chairman, I ask for Unanimous Consent to submit for the record text from this pledge, which has been signed by over 40,000 musicians, bands, and music organizations.

We know that slash and burn techniques are destroying the Amazon, and now many are saying we should burn through international forests to make guitars for Slash. These musicians reject that notion.

Over the years, musicians have gathered to sing “We Are the World.” They have said they “ain’t gonna play Sun City” in apartheid South Africa. They have pushed for Farm Aid to assist depressed rural communities. And yet again, these artists can see the forest for the illegal trees, and are rejecting this latest attack against our bedrock conservation laws.

I’d like to thank my colleagues for calling this hearing. I am confident that by exploring these two bills further we will all come to the conclusion that we should stand by the Lacey Act, and soon be singing from the same songbook on this matter.